IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5307 of 1985

For Approval and Signature:

Hon'ble CHIEF JUSTICE MR DM DHARMADHIKARI
and
Hon'ble MR.JUSTICE D.A.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? :

BANSIDHAR SPG. & WVG.MILLS LTD

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 5307 of 1985
MR KS NANAVATI for Petitioners No. 1-2
MR AJ DESAI, AGP, for Respondents No. 1-2

CORAM : CHIEF JUSTICE MR DM DHARMADHIKARI
and
MR.JUSTICE D.A.MEHTA

Date of decision: 21/02/2002

ORAL JUDGEMENT

(Per : CHIEF JUSTICE MR DM DHARMADHIKARI)

The learned counsel appearing for the State Government cited the decision of the Apex Court in the case of M/s Orissa Textile and Steel Ltd. v. State of Orissa reported in AIR SCW 2002 page 333 by which the provisions of amended Section 25-O of the Industrial Disputes Act, 1947, has been upheld and the same has been held not to be ultra vires the Constitution. Consequently, when the question that arose in this petition has been decided against the petitioner by the Apex Court, relying on the said decision, we dismiss this petition. Rule is discharged. No order as to costs.

(D.M. Dharmadhikari, C.J.)

(D.A. Mehta, J.)

(mohd)